

**East Hampton Inland Wetlands & Watercourses Agency**  
**Regular Meeting**  
**September 29, 2010**  
**Town Hall Meeting Room**

Approved Minutes

1. **Call to Order:** Vice-Chairman Wilson called the meeting to order at 6:32 p.m.

**Present:** Chairman Jeffrey Foran (6:46 pm), Vice-Chairman Josh Wilson, David Boule, Marc Lorah, Scott Hill, Peter Wall (6:45 pm).

**Absent:** Maureen Heidtmann and Dean Kavalkovich.

2. **Seating of Alternates:** None

3. **Approval of Minutes:**

A. **August 25, 2010 Meeting and August 25, 2010 Special Meeting:** *Mr. Boule moved, and Mr. Lorah seconded, to approve the minutes of August 25, 2010 Meeting and August 25, 2010 Special Meeting. The motion carried unanimously.*

4. **Communication, Enforcement, and Public Comment:**

**Communications:** Mr. Hayden reported that the DEP had approved an authorization for general permit dam safety repair and alteration for the Flanders Pond Dam No. 4224 (Cranberry Bog).

**Enforcement:** None

**Public Comments:** None

5. **Agent Approval:** None

6. **Reading of the Legal Notice:** None

7. **New Application:**

A. Application of Angelo Simoni, West High Street, for activities within the regulated area including clearing and grubbing, installation of erosion control measures, grading, installation of a primary septic system, and possible future use of a reserve septic system - M06/B6/L3B: The applicant was not present and requested verbally that the application be accepted and continued to the next regularly scheduled meeting. Mr. Hayden explained that he and Mr. Carey had an appointment with the applicant at 9:30 the following morning to discuss the plans.

*Mr. Hill moved, and Mr. Lorah seconded, to continue the application to the next regularly scheduled meeting. The motion carried unanimously.*

8. **Continued Applications:**

A. Application for Chianelli Subdivision, 61 Old Young Street, Susan P. & Louis T. Chianelli, for a 2-Lot Subdivision M14/B31A/L8A: Mr. Chianelli was present to discuss the application. The Agency reviewed the plans and discussed them with

the applicant. The only regulated activity on the parcel is the proposed driveway on the new parcel. The proposal for this property is to create 1 additional building lot and sell that building lot. The plans demonstrate that the property is developable.

*Mr. Boule moved, and Mr. Hill seconded, to accept the wetland boundaries as the soil scientist has delineated. The motion carried unanimously.*

*Mr. Wilson moved, and Mr. Hill seconded, to approve the subdivision as presented in the plans dated April 25, 2010 and signed by Richard Snarski, Certified Soil Scientist #1975 on May 12, 2010. The motion carried unanimously.*

**9. Public Hearing:**

**A. Application for Brian Cutler, Traditional Innovations, 265 West High Street, for Filling, Excavation, Land Clearing/Grubbing, Drainage Improvements, Activity in buffer/setback, and Creation of a Wetland, M6/ B12/ L9 in a C zone:** Raymond Nelson, Engineer with Messier & Associates, was present to discuss the application. He went through the comments made by CLA on September 28, 2010 and responded to each of them. The Agency questioned the applicant about the area of groundwater seepage and increased runoff.

Richard Snarski, Soil Scientist described the area where seepage was occurring and the flow of water through the site to the drainage ditches.

The Agency discussed with Mr. Nelson the temporary berm, riprap, final grading, geo-grids, stone dust, sedimentation, storm drain, snow storage, impervious surface, and a constructed gravel surface.

Mr. Hayden addressed CLA's comments and the applicant's responses. He referred to his letter of September 29, 2010.

The Chairman opened the floor to the public. As there were no comments *Mr. Foran moved, and Mr. Wilson seconded, to close the public hearing at this time. The motion carried unanimously.*

Mr. Wilson considers this to be a good step forward in improving the property.

Mr. Foran and Mr. Boule discussed the history of the property and the improvement to the wetland.

Mr. Wall expressed concern that the scope of the project exceeded the ability of a parcel this size to benefit by the development. He understands the need to remediate the existing manmade wetland but believes this project is too big for the property.

Mr. Lorah believes that the parking lot needs to be of an engineered nature and should be explored further with town staff. He believes that the stormceptor needs to be further researched to ensure it can handle the high water table and the possibility that the retaining wall will be breached at some point.

Mr. Hill discussed his concerns regarding the elevation of the wetland, the grade and a pervious berm with an impervious core.

The Agency discussed the wetland, the depth of the water, the potential for the dam to fail, emergency overflow, and channeling the water to the drainage ditch.

***Mr. Foran moved, and Mr. Lorah seconded, to approve the wetlands boundaries as the soil scientist has delineated. The motion carried unanimously.***

***Mr. Wilson moved, and Mr. Foran seconded, to approve the application of Brian Cutler, Traditional Innovations, 265 West High Street, for Filling, Excavation, Land Clearing/Grubbing, Drainage Improvements, Activity in buffer/setback, and Creation of a Wetland, M 6/B 12/L 9, C-Zone, with the following conditions:***

- ***All standard conditions;***
- ***The permittee shall incorporate an emergency spillway from the wetland as coordinated by Town Staff and the applicant;***
- ***The permittee shall specify type of gravel for the parking lot as approved by Town Staff; and***
- ***A Performance Bond in the amount of \$10,000.***

***Motion is made because this is a reasonable use of the property, the applicant has shown feasible and prudent alternatives, and given the alternatives shown the improvements to the wetland on site will be beneficial to the overall water quality of the wetland and downstream watercourses and wetlands. The motion carried (5-1-0). (Yes votes: Boule, Foran, Hill, Lorah, Wilson. No votes: Wall. Abstentions: None.)***

**10. New Business: None.**

**11. Old Business:**

- A.** Fertilizer Ordinance – The Chairman requested that this item not be on the Agenda for October but back on the Agenda for November.
- B.** Revisions to Town Wetland Maps - Josh Wilson reported that the maps are in progress.
- C.** Cease and Desist update – 42 North Main Street / 8 Sears Place – Mr. Hayden met with Mr. Flannery who stated he believes the project will be complete in the next two weeks.
- D.** The Forest Glen retaining wall was reviewed by Mr. Hayden. He confirmed that it is constructed of fill and rocks. The Agency requested that Mr. Hayden in his capacity as Wetlands Enforcement Officer pursue correcting this.

**12. Public Comments:** None

**13. Adjournment:**

*Mr. Wilson moved to adjourn the meeting. Ms. Wall seconded the motion. The motion carried unanimously. The meeting adjourned at 8:42 PM.*

Respectfully submitted,

Kamey Peterson  
Recording Secretary